

****NOT FOR PRINTED PUBLICATION****

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

PAUL FLETCHER, ET AL.,

Plaintiffs

v.

**LEWISVILLE INDEPENDENT SCHOOL
DISTRICT, ET AL.,**

Defendants

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**Case No. 4:14CV359
(Judge Clark/Judge Bush)**

**ORDER ADOPTING REPORT AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On March 9, 2016, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Defendant's Fourth Motion to Dismiss Plaintiffs' §1983 Claims (Dkt. # 186) should be GRANTED, that Plaintiffs' claims under 42. U.S.C. § 1983 (Counts III and IV of Plaintiffs' Fourth Amended Complaint) as well as Plaintiffs' claim for punitive damages should be dismissed with prejudice, and that only Plaintiffs' claims under Title IX (Counts I and II of Plaintiffs' Fourth Amended Complaint) should proceed.

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, this court is of the opinion that the findings and conclusions of the

Magistrate Judge are correct and adopts the Magistrate Judge's recommendations as the findings and conclusions of the court. Therefore, Defendant's Fourth Motion to Dismiss Plaintiffs' § 1983 Claims (Dkt. # 186) is GRANTED, Plaintiffs' claims under 42. U.S.C. § 1983 (Counts III and IV of Plaintiffs' Fourth Amended Complaint) and Plaintiffs' claim for punitive damages are dismissed with prejudice, and only Plaintiffs' claims under Title IX (Counts I and II of Plaintiffs' Fourth Amended Complaint) shall proceed at this time.

So ordered and signed on

Apr 6, 2016

A handwritten signature in black ink, appearing to read "Ron Clark", is written above a horizontal line.

Ron Clark, United States District Judge